

## REMARKS

In the Final Office Action dated July 19, 2007, the Examiner objected to claims 103-105, rejected claims 85 – 88 under 35 USC § 102(e) as being anticipated by US Patent 6,751,402 (hereinafter referred to as Elliot), rejected claim 89 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent 6,353,700 (hereinafter referred to as Zhou), rejected claim 90 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent 6,826,512 (hereinafter referred to as Dara-Abrams), rejected claim 91 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent 5,793,366 (hereinafter referred to as Mano), rejected claim 92 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent Publication 2002/0059588 (hereinafter referred to as Huber), rejected claim 93 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent 5,883,621 (hereinafter referred to as Iwamura), rejected claims 101-102, 104-108, and 110-112 under 35 USC § 103(a) as being unpatentable over Elliot in view of US Patent 6,901,603 (hereinafter referred to as Zeidler), and rejected claims 113-114 under 35 USC § 103(a) as being unpatentable over Elliot in view of Zeidler in further view of Huber. In this Response, Applicants have not canceled or added any claims. Accordingly, claims 85, 86, 88-93, 101-107, and 110-114 will be pending after entry of this Response.

### **I. Objections to Claims 103-105**

In the Office Action, the Examiner objected to claims 103-105 for reciting digital data content objects and not reciting executable files. Applicants respectfully traverse these objections. Digital data content object is recited in claim 85 upon which claims 103-105 are dependent. As such, digital data content object recited in claims 103-105

have proper antecedent basis and the use of digital data content object is proper in these claims. Also, simply because claim 85 recites a “digital data content object comprising an executable file” does not require that each claim dependent 85 repeat the same limitations.

## **II. Rejections under U.S.C. 102**

In the Office Action, the Examiner rejected claims 85 – 88 under 35 USC § 102(e) as being anticipated by Elliot. Applicants respectfully traverse these rejections. Claim 85 recites a home media system comprising:

network;

acquisition storage set-top box, coupled to said network, for storing at least one digital data content object comprising an executable file;

control/playback set-top box, coupled to said network, comprising a media playback module and a media control module, said media control module comprising an applications module for accessing across said network, at least one digital data content object from said acquisition storage set-top box, and for running at least one media application that provides functionality, through a user interface, to play media, said media playback module for executing said digital data content object comprising an executable file; and

client device, coupled to said control/playback set-top box, for displaying said user interface for said media application and for playing media comprised in said digital data content object.

(Emphasis added.)

Applicants submit that Elliot does not teach or suggest each limitation of claim 85. For example, Elliot does not teach or suggest an acquisition storage set-top box for storing at least one digital data content object comprising an executable file, and a control/playback set-top box, coupled to a network, comprising a media control module for accessing across a network, at least one digital data content object and a media

playback module for executing said digital data content object comprising an executable file.

The Examiner indicates that Elliot discloses an acquisition storage set-top box (personal video recorder 200 of Figure 2) coupled to a network for storing an executable file (video streams 222 and 223 of Figure 3). The Examiner further indicates that Elliot discloses a control/playback set-top box (set-top box 100) coupled to a network, the control/playback set-top box comprising a media playback module (video output interface 120) and a media control module (microprocessor 140). However, as shown in Elliot, the video streams 222 and 223 (contained within the personal video recorder 200) are not accessed across a network by the set-top box 100. Rather, as shown in Figures 1-3, the video streams 222 and 223 are transported within the personal video recorder 200 itself and are not transported across a network.

Further, as known in the art, a video stream is not equivalent to an executable file. As well known in the art, an executable file comprises executable code or instructions while a video stream does not contain executable code or instructions. Also, nowhere in Elliot is it taught or suggested that the video streams 222 and 223 comprise executable code or instructions. Since Elliot does not teach or suggest an executable file, Elliot also does not teach or suggest a media playback module for executing an executable file.

As such, Elliot does not teach or suggest each limitation of claim 85. For the above reasons, Applicants believe that claims 85-88 are in allowable form.

### **III. Rejections under U.S.C. 103**

In the Office Action, the Examiner rejected claim 89 under 35 USC § 103(a) as being unpatentable over Elliot in view of Zhou, rejected claim 90 under 35 USC § 103(a)

as being unpatentable over Elliot in view of Dara-Abrams, rejected claim 91 under 35 USC § 103(a) as being unpatentable over Elliot in view of Mano, rejected claim 92 under 35 USC § 103(a) as being unpatentable over Elliot in view of Huber, rejected claim 93 under 35 USC § 103(a) as being unpatentable over Elliot in view of Iwamura, rejected claims 101-102, 104-108, and 110-112 under 35 USC § 103(a) as being unpatentable over Elliot in view of Zeidler, and rejected claims 113-114 under 35 USC § 103(a) as being unpatentable over Elliot in view of Zeidler in further view of Huber. Applicants respectfully traverse these rejections.

Claim 101 contains the “executable file” limitation of claim 85. As such, claim 101 is also in allowable form. None of the cited references, either alone or in combination, cure the deficiencies of Elliot in teaching or suggesting the limitations of claims 85 or 101. Claims 89-93 and 103-105 are dependent upon claim 85, and thus are allowable for at least the same reasons as claim 85. Claims 102 and 114 are dependent upon claim 101, and thus are allowable for at least the same reasons as claim 101.

Claim 106 recites a home media system comprising:

network;

acquisition storage set-top box, coupled to said network, for storing a plurality of different types of digital data content objects comprising video, image, or audio digital data content objects;

control/playback set-top box, coupled to said network, comprising a media playback module and a media control module, said media control module comprising an applications module for accessing, across said network, at least one digital data content object from said acquisition storage set-top box, and for running at least one of a plurality of media applications suitable for said type of digital data content object, said media playback module comprising a decoder for decoding media comprised in said digital data content object;

display client device, coupled to said control/playback set-top box, for playing video or image media comprised in video or image digital data content objects; and

audio client device, coupled to said control/playback set-top box,

for playing audio media comprised in audio digital data content objects, wherein said audio client device is configured to only play audio media in audio digital data content objects and not being configured to play video or image media in video or image digital data content objects.

(Emphasis added.)

Applicants submit that neither Elliot nor Zeidler, alone or in combination, teaches or suggests each limitation of claim 106. For example, neither Elliot nor Zeidler teach or suggest an acquisition storage set-top box for storing a plurality of different types of digital data content objects comprising video, image, or audio digital data content objects and an audio client device for playing audio media comprised in audio digital data content objects, wherein said audio client device is configured to only play audio media in audio digital data content objects and not being configured to play video or image media in video or image digital data content objects.

The Examiner cites the audio/video decompressor 65 (contained in personal versatile recorder (PVR) 20) of Zeidler as teaching the audio client device of claim 106. For the sake of argument, the audio/video decompressor 65 may relate to the media playback module in the control/playback set-top of claim 106, the media playback module comprising a decoder for decoding media comprised in a digital data content object. However, the audio/video decompressor 65 does not correspond to the separate and distinct audio client device that is coupled to the control/playback set-top box. Applicants submit that Zeidler does not teach or suggest such an audio client device coupled to the personal versatile recorder (PVR) 20 (which contains the audio/video decompressor 65), the audio client device for only playing audio media and not being configured to play video or image media in video or image digital data content objects, as required in claim 106.

For the above reasons, Applicants believe that claim 106 is in allowable form. Claims 107 and 110-113 are dependent upon claim 106, and thus are allowable for at least the same reasons as claim 106.

In view of the foregoing, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections and objections is requested. Allowance is earnestly solicited at the earliest possible date.

Respectfully submitted,

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